

John Wiley & Sons, Inc. v. DRK Photo

Case No. 1:11-cv-05454 (KPF)

**Supplemental Declaration
of Robert Penchina**

In Support of Motion for Summary Judgment

Exhibit C

Copyright Assignment, Registration, and Accrued Causes of Action Agreement

The undersigned photographer, the sole owner of the copyrights in the undersigned's images ("the Images") selected by DRK PHOTO ("DRK") and included in DRK's collection, hereby grants to DRK all copyrights and complete legal title in the Images. DRK agrees to reassign all copyrights and complete legal title back to the undersigned immediately upon completion of the registration of the Images, as evidenced by DRK's receipt of a Certificate of Registration from the United States Copyright Office for such Images, and resolution of infringement claims brought by DRK relating to the Images.

The undersigned agrees and fully transfers all right, title and interest in any accrued or later accrued claims, causes of action, choses in action--which is the personal right to bring a case--or lawsuits, brought to enforce copyrights in the Images, appointing and permitting DRK to prosecute said accrued or later accrued claims, causes of action, choses in action or lawsuits, as if it were the undersigned.

Any proceeds obtained by settlement or judgment for said claims shall, after deducting all costs, expenses and attorney's fees, be divided and paid 50% for the undersigned and 50% for DRK.

The Undersigned:

Barbara Gerlach
Signature

Barbara Gerlach
Print Name

Address: PO Box 258

Mack's Inn

Idaho 83433

Phone: 208-244-1887 cell

Email: gerlach, b@aol.com

Date: Oct 24, 08

DRK PHOTO:

by: Dan Krasemann
Dan Krasemann, Owner
100 Starlight Way
Sedona, AZ 86351